IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SHELBY J. PIERCE,)
Plaintiff,))
v.) CASE NO. 3-10-CV-00659
SEARS, ROEBUCK AND COMPANY a/k/a)) JUDGE TRAUGER
SEARS HOLDING CORPORATION,) JURY DEMAND
)
Defendant.)

AGREED ORDER OF DISMISSAL

Come now the parties, by and through counsel, and announce to the court that all matters herein controversy between these parties have been compromised and settled out of court, and that Plaintiff, for valuable consideration, has executed a release and settlement agreement in full and final settlement of all his claims against Defendant arising out of the matters herein controversy including any and all subrogation interests or liens, if any, against Defendant arising out of the matters herein controversy. It is therefore:

ORDERED, ADJUDGED, and DECREED, by the court that this cause be, and the same hereby is, dismissed with full prejudice to Plaintiff.

It is further **ORDERED** that Defendant is responsible for court costs for which execution may issue, if necessary.

Entered this 5th day of August, 2011.

JUDGE A COMPY

APPROVED FOR ENTRY:

BY: s/ Martin Sir w/permission

s/ Anthony M. Noel

Martin Sir, BPR #7173
April Watkins, BPR #28354
Jake Nemer, BPR #29324
Attorneys for Plaintiff
Fifth Third Center
424 Church Street, Suite 1560
Nashville, Tennessee 37219

Phone: (615) 256-5661 Fax: (615) 256-5115

BY: s/ Anthony M. Noel

Anthony M. Noel, BPR #18828 Joey C. Johnson, BPR #25484 Attorneys for Defendant Leitner, Williams, Dooley & Napolitan, PLLC 414 Union Street, Suite 1900 Nashville, TN 37219-1782

Phone: (615) 255-7722

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